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PTO/SB/30 (09-03)
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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/073,863
Filing Date	February 14, 2002
First Named Inventor	Gholam A. Peyman
Art Unit	1615
Examiner Name	H. Sheikh
Attorney Docket Number	42561

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-2220 (fee deficiency only)
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 520.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Garrett V. Davis	Registration No. (Attorney/Agent)	32.023
Signature	<i>Garrett V. Davis</i>	Date	<i>May 18, 2004</i>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/20/2004 HGBREM1 00000034 10073863

01 FC:2801

385.00 OP

PATENT



Case Docket No.: **42561**

In re Application of: **Gholam A. PEYMAN**

Serial No.: **10/073,863**

Patent Art Unit: **1615**

Filed: **February 14, 2002**

Examiner: **H. Sheikh**

For: **METHOD AND COMPOSITION FOR HYPERTHERMALLY TREATING CELLS**

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith is an Amendment and a Request for Continued Examination (RCE) in the above-identified application:

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ No additional fee is required.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
				RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	35	- 20 =	15	x 9 =	\$135.00	x 18 =	\$
INDEP	3	- 3 =	0	x 43 =	\$	x 86 =	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULT. DEP. CLAIM				+ 145 =	\$	+ 290 =	\$
If the difference in Col. 1 is less than zero, enter "0" in Col. 2				TOTAL	\$135.00	TOTAL	\$

☐ Applicant(s) petition(s) for an extension of _____ month(s) to respond and submits herewith the fee of \$_____.

☐ Please charge my Deposit Account No. 18-2220 in the amount of \$_____. A duplicate copy of this sheet is attached.

☒ A check in the amount of \$ 520.00 for the extra claim fee and the RCE fee is attached.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.

☒ Any additional excess claim fees under 37 C.F.R. § 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. § 1.17.

Dated: May 18, 2004

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Garrett V. Davis
Garrett V. Davis
Attorney of Record
Reg. No. 32,023



PATENT

42561

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	
Gholam A. PEYMAN	:	Group Art Unit: 1615
	:	
Serial No.: 10/073,863	:	Examiner: H. Sheikh
	:	
Filed: February 14, 2002	:	
	:	
For: METHOD AND COMPOSITION FOR	:	
HYPERTHERMALLY TREATING CELLS	:	

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please amend the above-identified application as follows.

05/20/2004 HGBREH1 00000034 10073863

02 FC:2202

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